

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT
OFFICE OF UNIVERSAL DESIGN – ACCESS COMPLIANCE**

**REGARDING THE CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

**ADOPTION OF THE 2003 EDITION OF THE
UNIFORM PLUMBING CODE WITH CALIFORNIA AMENDMENTS**

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:

(Government Code Section 11346.2 requires a description of public problem, administrative requirement or other condition or circumstance, and the specific purpose and rationale for EACH adoption, amendment or repeal. List all section numbers, with the problem, purpose, and rationale immediately following.)

Part 5: Chapter 1

Division of the State Architect/Access Compliance (DSA/AC) is proposing the adoption of only those sections within Chapter 1 indicated below and on the attached matrix table. The numbers of each section and all references within each section have not been reformatted. Chapter 1 is an existing California amendment, which provides the purpose, scope, administrative authority, and application to local enforcement agencies. DSA/AC is proposing editorial amendments to various sections within Chapter 1.

DSA/AC proposes to make only editorial corrections to Chapter 1, *Section 101.8 (Format)*, by adding a period after a letter within the abbreviation U.P.C., and to also add in this sentence within the same section, "such chapter of the U.P.C." to clarify that specific UPC chapters are not adopted by DSA/AC, and to show on the attached matrix table that DSA/AC adopt *Section 101.4.0 Application*.

Part 5: Chapter 2

Division of the State Architect/Access Compliance (DSA/AC) is proposing the adoption of only those sections within Chapter 2 indicated below and on the attached matrix table. The numbers of each section and all references within each section have not been reformatted.

DSA/AC proposes to make an editorial correction to Section 203.0 of Chapter 2 to correct the spelling of accessability to accessibility, and to change by reference the words "~~the handicapped~~" to "persons with disabilities" to be consistent with definition in Part 2 for clarity and consistency with Chapters 11A and 11B.

Part 5: Chapter 3

Division of the State Architect/Access Compliance (DSA/AC) is proposing not to adopt Chapter 3 of the 2003 Uniform Plumbing Code.

DSA/AC proposes to repeal adoption of Chapter 3 because the model code regulations are inconsistent with accessibility regulations in C.C.R., Title 24, Part 2.

Part 5: Chapter 4

DSA/AC proposes to adopt Section 412.0 with California amendments and Tables 4-1 to 4-4 with added annotation in each table as noted below:

Note: [For DSA/AC] With all clarifying notes that ANSI is not adopted and that for DSA/AC to carry out its statutory responsibilities, DSA/AC's application of California Plumbing Code Tables 4-1 through 4-4 are limited to those application stated in Section 101.11.9 of this code.

DSA/AC proposes adoption of the following 2003 Edition of the UPC language changes in Table 4-1 and also amendments to footnotes No. 2, No. 6 and No. 14 under Table 4-1:

Each building shall be provided with sanitary facilities, including provisions for the physically handicapped **[For DSA/AC] persons with disabilities** as prescribed by the Department having jurisdiction. For requirements for the handicapped, ANSI A117.1,-1992, **[For DSA/AC] ICC ANSI A117.1 Accessible and Usable Buildings and Facilities, [For DSA/AC] California Building Code (Title 24, Part 2) Chapters 11A and 11B,** may be used.

Footnote No. 2. Building categories not shown on this table shall be considered separately by the Administrative Authority **[For DSA/AC] Authority Having Jurisdiction.**

Footnote No. 6. As required by ANSI Z4.1-1986 **[For DSA/AC] 1968,** Sanitation in Places of Employment.

DSA/AC proposes the following editorial correction to footnote No. 14 under Table 4-1:

Footnote No. 14. The total number of water closets for females shall be at least equal to the total number of water closets and urinals required for males. ~~45.~~

Part 5: Chapter 16

DSA/AC is proposing these amendments to Chapter 16 (Plumbing Requirements for Accommodation of Persons with Physical Disabilities):

To change in the title "PERSONS WITH ~~PHYSICAL~~ DISABILITIES". The words in the new note "~~physically handicapped persons~~" to "persons with disabilities" to be consistent with definition in CCR, Title 24, Part 2 for clarity and consistency with Chapters 11A and 11B.

To delete 1601.0, Note and Exceptions 1 and 2. Only the remaining cross-reference to Exception 3 will be retained. As a prompt to the user of the code, DSA/AC proposes to change the 'Exception' to a 'Note' to point the user of the code in the right direction for plumbing accessibility requirements. Cross-references to 1115B.2.0 through 1115B.2.1.20 are corrected to reference Sections 1115B and 1117B.1.

Technical, theoretical, and empirical study, report, or similar documents:

In proposing these adoptions, amendments or repeal of the Uniform Plumbing Code into Title 24, Part 5, DSA/AC used the Uniform Plumbing Code, 2003 Edition, as developed through a consensus standards development process approved by the American National Standards Institute.

Consideration of reasonable alternatives.

DSA/AC has determined that no alternatives would be more effective in carrying out the purpose for which plumbing requirements for accessibility are proposed or would be effective and less burdensome to affected private persons than the proposed regulations.

On July 30, 2003, the California Building Standards Commission (CBSC) on behalf of the State of California adopted the Uniform Plumbing Code as published by IAPMO. The International Plumbing Code was one alternative considered, however, not the code selected by the CBSC.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

DSA/AC has not identified any alternatives that would lessen any adverse impact on small business for which plumbing requirements for accessibility are proposed. This regulation is not intended to impact small business. This regulation is intended to provide plumbing requirements for accessibility.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS.

DSA/AC finds that provisions for plumbing requirements for accessibility would not have a significant adverse impact on business. These regulations are not intended to have an adverse economic impact on business, these regulations are intended to provide plumbing requirements for accessibility.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

N/A

DSA/AC is within the State and Consumer Services Agency, Department of General Services. DSA/AC is unaware of any existing Federal provisions for "plumbing requirements for accessibility".